

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. 18-cr-02945-WJ

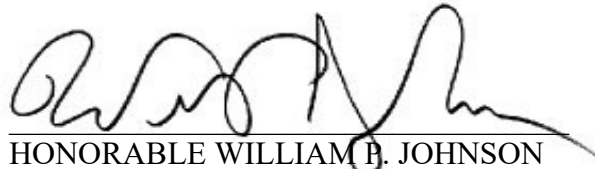
JANY LEVEILLE, et al.,

Defendant.

ORDER

THIS MATTER IS BEFORE THE COURT on the Stipulation by all parties regarding the exclusion of certain evidence. The parties have stipulated that evidence, argument and/or statements by the parties that Defendant Lucas Morton's white box truck and trailer found in Amalia and allegedly used to transport the Defendants and their family from Alabama to New Mexico were stolen is not admissible and should be excluded from evidence at trial. The parties agree if Defendants open the door to this evidence, the United States may seek to introduce evidence on this subject. The Court having considered the Stipulation, and being fully advised in the premises, finds that the Stipulation should be accepted, and the evidence referenced should not be admitted at trial.

IT IS THEREFORE ORDERED that the United States is prohibited from introducing in evidence at trial in its case-in-chief, or discussing in voir dire, and opening or closing statement, information concerning allegations that Defendant Lucas Morton's box truck and trailer were or may have been stolen. If Defendants open the door to such evidence, the United States may seek to introduce evidence concerning the same, after it raises the issue outside the presence of the jury, so that the Court may determine if the door has been opened to such evidence.

A handwritten signature in black ink, appearing to read 'William P. Johnson', written over a horizontal line.

HONORABLE WILLIAM P. JOHNSON
Chief United States District Court Judge

Submitted by:

/s/ Ryan J. Villa

RYAN J. VILLA

Counsel for Subhanah Wahhaj

Approved by:

/s/ Tavo Hall

TAVO HALL

Assistant United States Attorney